

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

CYNTHIA BRINKLEY, SP 2014-DR-150 Appl. under Sect(s). 8-923 of the Zoning Ordinance to permit provisions for increase in fence and/or wall height in a front yard of a corner lot. Located at 1031 Harvey Rd., McLean, 22101, on approx. 1.5 ac. of land zoned R-1. Dranesville District. Tax Map 21-4 ((1)) 53. Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on October 22, 2014; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. There is a favorable staff recommendation, and the Board agrees generally with them.
3. The justification presented by the applicant that the six-foot fence along George Town Pike encloses a functional rear yard, even though it might be technically a front yard under the Ordinance, for the traffic on Georgetown Pike, and for the enclosure of pets, presents valid reasons.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

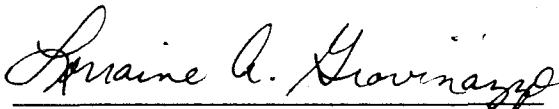
1. This special permit is approved for the location of the fence as shown on the plat titled "Special Permit, 1031 Harvey Road, Langley," prepared by Prem K. Bhandari, Land Surveyor, of AMA Engineers, LLC, dated July 23, 2014 and with the improvements as shown on Sheet 2 of 7 of the site grading plan titled, "Site Grading Plan, Lot 53, Langley, 1031 Harvey Road, (Formerly 6551 Georgetown Pike)," prepared by Prem K. Bhandari, Professional Engineer, of AMA Engineers, LLC dated July 25, 2014.
2. All applicable permits and final inspections shall be obtained within 180 days of the approval of this application.

3. The portion of fence described as "metal" on the special permit plat shall be made of similar material and appearance to the fence in the photo in Attachment 1.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Mr. Smith seconded the motion, which carried by a vote of 6-0. Ms. Theodore was not present for the vote.

A Copy Teste:

A handwritten signature in cursive script, reading "Lorraine A. Giovinazzo".

Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals

